REMARKS

These remarks are responsive to the Office Action mailed March 26, 2004 (hereinafter referred to as "the Office Action"). The Office Action rejects all of the pending claims 1-24 under 35 U.S.C. 102(e) as being anticipated by United States patent number 6,363,060 issued to Sarkar (hereinafter also referred to simply as "Sankar").

Sarkar discloses that step 112 of Figure 4 determines whether the confidence level of a SSC decoding rises to the level of required for validity (see Sankar, Col. 9, lines 14-24). If SSC is deemed valid in step 112, then PILOT is used as an estimate of pilot offset in step 114 (see Sankar, Col. 9, lines 29-30). However, Sarkar does not describe, teach or suggest the third step of the three-step cell search method recited in each of the independent claims 1, 9, 13 and 21.

In particular, all of independent claims 1, 9, 13 and 21 recite that the "detection results for said frame boundaries and scramble code are judged on the basis of a ratio of the largest one of a plurality of said average correlation coefficients to a predetermined reference value". The remainder of the claims depend, directly or indirectly, upon one of these independent claims. Accordingly, the 35 U.S.C. 102(e) rejection of Claims 1-21 should be withdrawn. While the Office Action asserts that this feature is taught by the Sankar passages at Column 8, lines 22-27 and Column 9, lines 24-31 and by the Figure 7 of Sankar, this is simply not the case.

In particular, as described in the disclosure, this recited operation may be performed in parallel with detecting the scramble code, thereby reducing the time required for the cell search and the judgment of the detection results. As described in Applicants' specification, at the method of detecting a scramble code at the third step, a reference value calculating section 706 (see Figure 7) determines the average or median of the seven average correlation values excluding the largest one, and uses it as a reference value for judging the detection results. This

average or median corresponds to the interference power. This method eliminates the need to separately measure the interference power, and enables the interference power-equivalent value to be calculated substantially simultaneously with the calculation of the maximum average correlation coefficient. Consequently, this method is unlikely to be subjected to the adverse effects of the temporal variation of the interference power (see e.g., page 17, line 23 to page 18, line 1.8).

Figure 10 shows that the detection results judging method of this embodiment is so accurate that the detection results can be substantially ideally judged (see e.g., page 22 line 8 to page 23 line 4). In addition, if information on frame boundaries or scramble codes for surrounding cells has been obtained from control information or the like from the base station, the second step may be skipped or the average correlation coefficient may be calculated for only one scramble code at the third step. (see e.g., page 21 line 22 to page 22, line 7).

Therefore, Applicants respectfully request reconsideration and allowance for the above-identified application. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 25th day of June, 2004.

Respectfully submitted,

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